

UNITED STATES DISTRICT COURT
DISTRICT OF NEW HAMPSHIRE

John Dore,
Plaintiff

v.


Case No. 12-cv-42-SM

Liberty Mutual Group, Inc.,
Defendant

O R D E R

Re: (Document No. 8)
Defendant's Motion for Summary Judgment

Ruling: Denied, without prejudice. Plaintiff asserts that the bankruptcy trustee has agreed to assume the prosecution of this claim, yet he has not done so. It seems clear that plaintiff does not have standing to pursue this claim as the claim belongs to his bankruptcy estate and the trustee has neither assumed its prosecution, nor has he abandoned the claim to plaintiff. The case is stayed for 60 days to give the trustee an opportunity to either appear and assume the prosecution of the case, or abandon it. Absent action by the trustee within that time, the case will be dismissed for want of standing.


Steven J. McAuliffe
United States District Judge

Date: January 16, 2013

cc: Philip L. Pettis, Esq.
Heather D. Neville, Esq.
Debra W. Ford, Esq.